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6 Attorneys for Defendants
7 FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR INDYMAC
8 BANK, F.S.B. AND INDYMAC FEDERAL BANK,
FSB; MORTGAGE ELECTRONIC REGISTRATION
9 SYSTEMS, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 RANDY W. BOYKO AND MARISA
14 BOYKO,

15 Plaintiffs,

16 vs.

17 QUALITY LOAN SERVICE
CORPORATION; MORTGAGE
18 ELECTRONIC REGISTRATION
SYSTEM, INC. (MERS); INDYMAC
19 BANK, F.S.B. and DOES 1-50, inclusive,,
20 Defendants.

Case No. CV09-1739 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE.**

CMC Date: August 7, 2009
Time: 1:30 p.m.
Crm: 2
Judge: Hon. Jeffrey S. White

1 Plaintiffs Randy W. Boyko and Marisa Boyko ("Plaintiffs") Defendants Federal
2 Deposit Insurance Corporation ("FDIC") as Receiver for IndyMac Bank, F.S.B. and
3 Receiver for IndyMac Federal Bank, FSB ("FDIC-Receiver") and Mortgage Electronic
4 Registration Systems, Inc. ("MERS") (the FDIC and MERS will collectively be referred to
5 hereinafter as "Defendants"), hereby stipulate as follows:

6 WHEREAS, on April 21, 2009, the Court issued an Order Setting Initial Case
7 Management Conference and ADR Deadlines setting the Initial Case Management
8 Conference for August 7, 2009;

9 WHEREAS, on April 28, 2009 Defendants filed a Motion to Dismiss each and
10 every cause of action of the Plaintiffs' Complaint;

11 WHEREAS, on July 7, 2009 Plaintiffs' counsel filed a Motion to Withdraw as
12 Counsel for Plaintiffs, noticing a hearing date of August 28, 2009;

13 WHEREAS, on July 9, 2009, in light of the Motion to Withdraw, the Court
14 continued the hearing on Defendants' Motion to Dismiss from July 17, 2009 to October 2,
15 2009;

16 WHEREAS, due to the pending Motion to Withdraw filed by Plaintiffs' counsel and
17 the Motion to Dismiss filed by Defendants, the parties agree the Initial Case Management
18 Conference Set for August 7, 2009 at 1:30 p.m. should be continued until a date after the
19 hearing on the Defendants' Motion to Dismiss in order to conserve the parties' resources
20 and allow Plaintiffs' new counsel, if any, adequate time to become acquainted with this
21 matter;

22 THEREFORE, the parties, by and through their respective counsel, hereby
23 STIPULATE AND AGREE as follows:

24 The Initial Case Management Conference shall be continued to November 6, 2009
25 at 1:30 p.m., or such date thereafter as is convenient for the Court.

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